UNITED STATES DISTRICT COURT

for the

Clerk of Court By: Deputy Clerk	Date		
1. 1. marile () baraton	Mard		
Taxation of Costs Costs are taxed in the amount of 3888.50 and i	ncluded in	the judgment.	
Name of Claiming Party			
For: Davis Construction, Inc. Date:	2/2	6/15	
Name of Attorney: Bradley A. Coxe			
s/ Attorney:			
Other:			
First class mail, postage prepaid			
services for which fees have been charged were actually and necessarily performed. A copy of this bill has in the following manner:			
I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred	in this act	ion and that the	
Declaration			
SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories			
TOTAL	\$	904.25	
Other costs (please itemize)			
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		0.00	
Compensation of court-appointed experts		0.00	
Costs as shown on Mandate of Court of Appeals		0.00	
Docket fees under 28 U.S.C. 1923		0.00	
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.		438.20	
Fees for witnesses (itemize on page two)		0.00	
Fees and disbursements for printing		0.00	
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case		225.75	
Fees for service of summons and subpoena		5.30	
Fees of the Clerk	\$	235.00	
the Clerk is requested to tax the following as costs:		005.00	
Judgment having been entered in the above entitled action on 07/08/2014 against Defend	ans	,	
BILL OF COSTS			
AND NEW HANOVER COUNTY)			
CAPE FEAR PUBLIC UTILITY AUTHORITY)			
v.) Case No.: 7:13-cv-0002-h			
TOMMY DAVIS CONSTRUCTION INC.			

UNITED STATES DISTRICT COURT

NAME, CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost
	Davs	Total Cost	Days	Total Cost	Miles	Total Cost	Each Witness
							\$0.0
							\$0.0
							\$0.0
							\$0.0
							\$0.0
							\$0.6
					TOTAL		\$0.0

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions: RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

* The award is reduced by \$15.75 for the exhibits scanned and shipping and handling costs associated with the deposition of Tommy Davis. In construing 28 U.S.C. § 1920 and Local Civil Rule 54.1, this court has denied fees for copies of exhibits and shipping and handling. See, e.g., Nwaebube v. Employment Sec. Comm'n of N.C., No. 5:09-CV-395-F, 2012 WL 3643667, at *1 (E.D.N.C. Aug. 21, 2012) (unpublished) (disallowing costs of exhibit copies); Hexion v. Specialty Chemicals, Inc. v. Oak-Bark Corp., No. 7:09-CV-105-D, 2012 WL 2458638, at *6 (E.D.N.C. June 27, 2012) (unpublished) (denying costs for shipping and handling).